

**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY**

STATE OF DELAWARE,)	
)	
)	
v.)	ID. No. 0205013378
)	
TYRONE PRINGLE,)	
)	
Defendant.)	

Submitted: May 8, 2009
Decided: May 19, 2009

ORDER

On this 14th day of May 2009, upon consideration of Defendant’s Appeal of the Commissioner’s Report and Recommendation that Defendant’s Motion for Postconviction Relief be denied, it appears to the Court as follows:

Defendant Tyrone Pringle was found guilty of Burglary First Degree, Possession of a Firearm During the Commission of a Felony, Theft (misdemeanor), Criminal Impersonation and Resisting Arrest. He was sentenced to nine years incarceration followed by probation. His conviction and sentence were affirmed on appeal.¹ Defendant subsequently filed a Motion for Postconviction Relief pursuant to Super. Ct. Crim. R. 61.

The motion was referred to a Court Commissioner for findings of fact and

¹*Pringle v. State*, 2007 WL 437197 (Del.Supr.).

recommendation pursuant to 10 *Del. C.* § 512 (b) and Super. Ct. Crim. R. 62. The State filed an Answer to the Motion, and Defendant submitted a Reply. Defense counsel submitted an affidavit in response to the allegations of ineffective assistance of counsel. After reviewing the parties' submissions as well as the record of the proceedings, the Commissioner filed a Report recommending that the Court deny Defendant's motion for postconviction relief. Defendant appealed to this Court.

After a *de novo* review of the record in this action, the Court adopts the Commissioner's Report and Recommendation and denies Defendant's motion for postconviction relief for the reasons stated in the Commissioner's Report.

It Is So Ordered.

Judge John E. Babiarz, Jr.

JEB,jr/rmc/bjw
Original to Prothonotary